

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SHAWN DRUMGOLD,
Plaintiff

V.

TIMOTHY CALLAHAN, MICKY ROACH,
FRANCIS M. ROACHE, PAUL MURPHY,
RICHARD WALSH and the CITY OF
BOSTON,
Defendants

04-CV-11193-NG

MOTION OF DEFENDANT FRANCIS M. ROACHE'S
TO AMEND THE CAPTION

Now comes the defendant, Francis M. Roache, in the above-captioned proceeding and pursuant to Fed. R. Civ. P. 7(b) respectfully requests this Honorable Court amend the caption of plaintiff, Shawn Drumgold's civil action. Defendant Roache respectfully disagrees with the plaintiff's designation of the parties indicated in his complaint, in that plaintiff's reference to the defendant as "MICKY ROACH", is not the legal or proper name of FRANCIS M. ROACHE. Papers filed in this civil action by defendant Roache thusfar refer to him by his proper name and not the appellation employed by the plaintiff. Presently both names, the correct one and the incorrect version are listed on the docket. Defendant Roache respectfully requests this Honorable Court amend the caption to remove the improper and incorrect reference of MICKY ROACH relative to the defendant.

Respectfully submitted,
By Defendant Francis M. Roache
Through his attorneys,

/s/ Patrick J. Donnelly
John P. Roache (BBO# 421680)
Patrick J. Donnelly (BBO# 651113)
Hogan, Roache & Malone
66 Long Wharf
Boston, Massachusetts 02110
Tel.: (617) 367-0330

Date: January 13, 2005

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify, pursuant to Local Rule 7.1 (A)(2), that counsel for the defendant, Francis M. Roache, has conferred with Stephen Hrones, counsel for the Plaintiff in the above-entitled action, in a good faith attempt to resolve or narrow the issues raised by the instant motion, and that counsel for the Plaintiff did not object to the within motion.

//s// Patrick J. Donnelly
Patrick J. Donnelly (BBO# 651113)